

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

B.D., by and through his Parents, B.D. and J.D., and B.D. and J.D., Individually,	:	No. 1:20-cv-01944
	:	
	:	
v.	:	(Judge Kane)
	:	
CORNWALL LEBANON SCHOOL DISTRICT, Defendant	:	
	:	
	:	

ORDER

AND NOW, on this 5th day of April 2021, in accordance with the accompanying Memorandum, **IT IS ORDERED THAT** Defendant Cornwall Lebanon School District (“Defendant”)’s partial motion to dismiss (Doc. No. 7) **is GRANTED IN PART and DENIED IN PART**, as follows:

1. Defendant’s motion is **DENIED** as to Counts III, IV, and V of the complaint;
2. Defendant’s motion is **GRANTED** as to Counts VI, VII, and IX of the complaint;
3. Count IX is **DISMISSED WITH PREJUDICE** and without leave to amend; and
4. Counts VI and VII are **DISMISSED WITHOUT PREJUDICE** to Plaintiffs’ right to file, within fourteen (14) days of the date of this Order, an amended complaint addressing the pleading deficiencies as to those counts identified in the accompanying Memorandum.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania